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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/040,149	01/02/2002	Bob Janssen	DVME-1018US	9408
21302	7590	10/20/2006	EXAMINER	
KNOBLE, YOSHIDA & DUNLEAVY EIGHT PENN CENTER SUITE 1350, 1628 JOHN F KENNEDY BLVD PHILADELPHIA, PA 19103			SCUDERI, PHILIP S	
			ART UNIT	PAPER NUMBER
			2153	

DATE MAILED: 10/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/040,149

Applicant(s)

JANSSEN ET AL.

Examiner

Philip S. Scuderi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10, 18 and 19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10, 18 and 19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Response to Arguments*

Applicant's arguments filed 01 September 2006 have been fully considered but they are not persuasive.

Applicant contends that Willems (U.S. Patent No. 5,613,090) does not teach all the elements of the claims because the claims require that the display on the display device is provided and controlled by the server. The examiner respectfully disagrees.

Willems teach that the windows manager can be run locally (column 13, line 67 – column 14, line 4). However, Willems also teaches that the windows manager can be run remotely on the server (column 13, lines 41-44).

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1, 2, 7-10, 18, and 19 rejected under 35 U.S.C. 102(b) as being anticipated by Willems (U.S. Patent No. 5,613,090).**

Regarding claims 1, 18, and 19, Willems teaches a server-based computing system, comprising

at least one server and at least one client computer, connected to the server through a network, wherein the server comprises means for providing the client computer with a user interface

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(column 13, line 59 – column 14, line 13), wherein the client computer comprises an input device for providing input to an application through the user interface and a display device for presenting output from an application through the user interface (an input device is necessary in order for the client to interact with the applications; figure 10), wherein the server comprises means for running the application (column 13, line 59 – column 14, line 13), wherein the client computer comprises means for locally running at least one further application (normal Windows applications; column 13, line 59 – column 14, line 13), wherein the system comprises means for controlling the locally run applications through the user interface provided by the server, and is configured to enable the server to control the display on a screen of the display device of a screen area having contents generated locally on the client computer (column 13, line 59 – column 14, line 13).

Regarding claim 2, Willems further teaches means for controlling an application running on the server and further applications running locally, through the user interface (column 13, line 59 – column 14, line 13).

Regarding claim 6, Willems further teaches means for generating a merged local client screen, for display on the display device (figure 10).

Regarding claim 7, Willems further teaches that the server comprises means for controlling the display of the merged local client screen on the display device (column 13, line 59 – column 14, line 13).

Regarding claim 8, Willems further teaches that the client computer comprises means for generating a local client screen area, comprising visual output from the locally run applications, and the server comprises means for generating a screen area, wherein the system comprises means for merging the local client screen area and the screen area generated by the server to form the local client screen (figure 10; column 13, line 59 – column 14, line 13).

Regarding claim 9, Willems further teaches means for automatically updating the local client screen, when changes occur in the local client screen area or in the screen area generated by the server (column 13, line 59 – column 14, line 13).

Regarding claim 10, Willems further teaches means for selecting a running application; and means for providing input to the selected application or means for presenting output from the selected application through the user interface (figure 10).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 3-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Willems (U.S. Patent No. 5,613,090).**

Regarding claim 3, Willems does not expressly disclose that the user interface comprises means for initiating a locally run application. However, it was well known in the art that windows environments provide means for initiating locally run applications and it would have been obvious to do so in the instant case so that a user could initiate the application.

Regarding claims 4 and 5, Willems does not expressly disclose presenting an overview of available applications installed on the client and on the server. However, it was well known in the art that windows environments present overviews of available applications and it would have been

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obvious to do so in the instant case, thereby providing the user with a means for initiating the applications.

### *Conclusion*

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

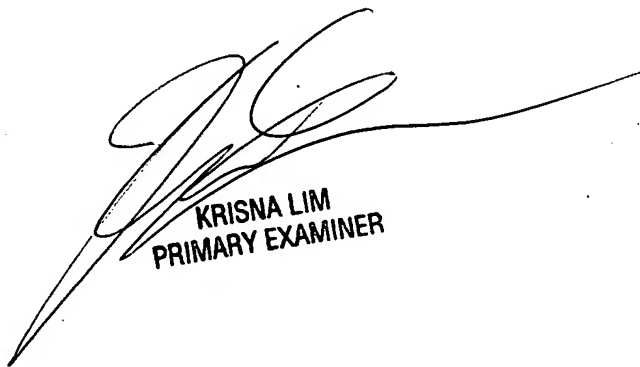
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip S. Scuderi whose telephone number is (571) 272-5865. The examiner can normally be reached on Monday-Friday 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton B. Burgess can be reached on (571) 272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PS



KRISNA LIM  
PRIMARY EXAMINER